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10/821,348	04/09/2004	Kiyoshi Okamoto	CFA00077US	9999

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EXAMINER	
PACHOL, NICHOLAS C	
ART UNIT	**PAPER NUMBER**
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/821,348	OKAMOTO, KIYOSHI	
	Examiner	Art Unit	
	Nicholas C. Pachol	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 April 2004* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *01/18/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Automatic Document Feeder coupled to an image device that allows for determination of paper type.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-3, 5, 7-15, 17, and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Morigami (US 5,708,953).

Regarding Claim 1, Morigami teaches an automatic document feeder capable of feeding a batch of documents of varying material types to a document reader of an imaging device (Column 5, lines 20-25), the automatic document feeder comprising:

a document tray supporting the batch of documents thereon (Column 5, lines 20-25 and Figure 1, element 81);

a separator separating a document from the batch of documents on the document tray (Column 5, lines 25-38);

an input device receiving data on the material type of the batch of documents (Column 10, lines 8-10); and

a separation controller operatively coupled to the separator and in communication with the input device (Column 18, lines 53-60 and Figure 19, element s5), wherein the separation controller drives the separator to initiate separation of a document from the batch of documents in response to data received from the input device (Column 13, lines 50-53, wherein the color is set by the input device).

Regarding Claim 2, Morigami further teaches wherein the data on the material type of the batch of documents received by the input device includes data on whether the batch of documents are color recorded paper or normal paper (Figure 17 and Column 13, lines 50-53).

Regarding Claim 3, Morigami further teaches wherein the separation controller delays the separator to initiate separation of a document from the batch of documents in response to receiving data that the documents are color-recorded paper (Column 10, line 61- Column 11, line 5).

Regarding Claim 5, Morigami further teaches wherein the input device is coupled to a user interface of the imaging device, wherein the input device receives the data on the material type of the batch of documents from the user interface (Figure 17 and

Column 13, lines 50-53, where the user interface is the ability for the user to set these conditions).

Regarding Claim 7, Morigami teaches an imaging device (Column 3, lines 48-49) comprising:

a document reader for reading images from a batch of documents (Column 3, line 52 and Figure 1, element 20);

an automatic document feeder capable of feeding the batch of documents of varying material types to the document reader (Column 5, lines 20-25), the automatic document feeder including a document tray supporting the batch of documents thereon (Column 5, lines 20-25 and Figure 1, element 81) and a separator separating a document from the batch of documents on the document tray (Column 5, lines 25-38);

an interface receiving input data on the material type of the batch of documents (Figure 17 and Column 13, lines 50-53); and

a controller operatively coupled to the interface and the separator (Column 18, lines 53-60 and Figure 19, element s5), wherein the controller drives the separator to initiate separation of a document from the batch of documents in response to the input data on the material type received from the interface (Column 13, lines 50-53, wherein the color is set by the input device).

Regarding Claim 8, Morigami further teaches a printer capable of recording images read by the document reader on recording sheets in a recording mode (Column

4, lines 20-30), including a color recording mode or a monochrome recording mode (Figure 17 and Column 22, lines 45-47);

the interface receiving input data on the printing mode (Figure 17 and Column 13, lines 50-53); and

the controller, being operatively coupled to the printer and responsive to the input data on the printing mode, controlling the printer to record in the color recording mode or the monochrome recording mode (Column 14, line 17-20).

Regarding Claim 9, Morigami further teaches wherein when the interface has received input data on the color recording mode and has not received input data on the material type, the interface queries for input data on the material type (Figure 21, elements s12 and s13).

Regarding Claim 10, Morigami teaches an automatic document feeder capable of feeding a batch of documents to a printer (Column 5, lines 20-25) capable of selectively recording images in a color recording mode or a monochrome recording mode (Figure 17 and Column 22, lines 45-47), the automatic document feeder comprising:

a document tray supporting the batch of documents hereon (Column 5, lines 20-25 and Figure 1, element 81);

a separator separating a document from the batch of documents on the document tray (Column 5, lines 25-38); and

an input device receiving data on the selected recording mode Column 10, lines 8-10); and

a separation controller operatively coupled to the separator and in communication with the input device (Column 18, lines 53-60 and Figure 19, element s5), wherein the separation controller drives the separator to initiate separation of a document from the batch of documents in response to data received from the input device (Column 13, lines 50-53, wherein the color is set by the input device).

Regarding Claim 11, Morigami further teaches wherein the separation controller delays the separator to initiate separation of a document from the batch of documents in response to receiving data that the recording mode is the color-recording mode (Column 10, line 61- Column 11, line 5).

Regarding Claim 12, Morigami teaches an automatic document feeder capable of feeding a batch of documents to a printer (Column 5, lines 20-25), the automatic document feeder comprising:

a document tray supporting the batch of documents thereon (Column 5, lines 20-25 and Figure 1, element 81);

a separator separating a document from the batch of documents on the document tray (Column 5, lines 25-38); and

a detector detecting a capability of the printer to record in color; and

a separation controller operatively coupled to the separator and in communication with the detector (Column 18, lines 53-60 and Figure 19, element s5), wherein the separation controller drives the separator to initiate separation of a document from the batch of documents in response to the detector detecting the capability to record in color (Column 13, lines 50-53, wherein the color is set by the input device).

Regarding Claim 13, Morigami further teaches wherein the separation controller delays the separator to initiate separation of a document from the batch of documents in response to the detector detecting that the printer is capable of recording in color (Column 10, line 61- Column 11, line 5).

Regarding Claim 14, Morigami teaches a method for feeding a batch of documents in an image recording device (Column 1, lines 51-58, where a method is directly stated in claim 6), the method comprising the following steps:

setting material type of the batch of document (Column 10, lines 8-10);

separating a first document from the batch of documents (Column 5, lines 25-38); and

setting an interval for separating a subsequent document from the batch of documents responsive to the step of setting the material type of the batch of documents (Column 10, line 61- Column 11, line 5).

Regarding Claim 15, Morigami further teaches wherein the step of setting the interval includes setting the interval for color- recorded paper longer than the interval for normal paper (Column 10, line 61- Column 11, line 5).

Regarding Claim 17, Morigami teaches a method for feeding a batch of documents in an image recording device (Column 1, lines 51-58, where a method is directly stated in claim 6), the method comprising the following steps:

detecting a recording mode of the image recording device to be either a color recording mode or a monochrome recording mode (Figure 17 and Column 22, lines 45-47); and

separating a first document from the batch of documents (Column 5, lines 25-38); and

setting an interval for separating a subsequent document from the batch of documents responsive to detecting the recording mode (Column 10, line 61- Column 11, line 5).

Regarding Claim 18, Morigami further teaches wherein the step of setting the interval includes setting the interval for color recording longer than the interval for monochrome recording (Column 10, line 61- Column 11, line 5).

Regarding Claim 19, Morigami teaches a method for feeding a batch of documents in an image recording device (Column 1, lines 51-58, where a method is directly stated in claim 6), the method comprising the following steps:

determining whether the image recording device has a color recording function;

separating a first document from the batch of documents (Column 5, lines 25-38); and

setting an interval for separating a subsequent document from the batch of documents responsive to the determining step (Column 10, line 61- Column 11, line 5).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morigami (US 5,708,953) in view of Anderson (US 6,646,768).

Regarding Claim 4, Morigami further teaches a transporter transporting documents, including first and subsequent documents separated by the separator, to the document reader (Column 5, lines 21-37);

the transporter including a sensor detecting a trailing edge of the first document (Column 7, lines 23-28); and

the separation controller, responsive to the data that the batch of documents is normal paper, drives the separator to initiate separation of the subsequent document from the batch of documents before the sensor detects the trailing edge of the first documents (Column 10, lines 18-19, where the first roller occurs it is before the detection of the trailing edge).

Morigami does not teach the separation controller, responsive to the data that the batch of documents is color-recorded paper, drives the separator to initiate separation of the subsequent document from the batch of documents after the sensor detects the trailing edge of the first document.

Anderson does teach the separation controller, responsive to the data that the batch of documents is color-recorded paper, drives the separator to initiate separation of the subsequent document from the batch of documents after the sensor detects the trailing edge of the first document (Column 6, line 53- Column 7, line 1).

Morigami and Anderson are combinable because the both are dealing with functions of the ADF.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Morigami with the teachings of Anderson to gain greater control over the feeding of the documents in the adf (Anderson: Column 9, lines 19-23).

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Morigami (US 5,708,953) in view of Ito (US 5,162,853).

Regarding Claim 6, Morigami further teaches wherein the input device receives the data on the material type of the batch of documents from the detector (Figure 17 and Column 13, lines 50-53).

Morigami does not teach wherein the input device is coupled to a detector of the imaging device detecting color imaging capabilities of the imaging device.

However Ito does teach wherein the input device is coupled to a detector of the imaging device detecting color imaging capabilities of the imaging device (Column 1, lines 55-62 and Column 8, lines 9-19).

Morigami and Ito are combinable because they both deal with copy apparatuses.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Morigami with the teachings of Ito for the purpose of preventing miscopying wherein the image cannot be ascertained and to generate a clearer image (Ito: Column 1, lines 65-67).

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over obviousness by Morigami (US 5,162,853).

Regarding Claim 16, Morigami further teaches determining a recording-mode of the image recording device to be either color recording or monochrome recording (Figure 17 and Column 22, lines 45-47).

Morigami does not teach when the recording mode is determined to be color recording, alerting whether or not the material type of the batch of documents has been set.

Official notice is taken that since the copy can not be made unless all option are set therefore, when the recording mode is determined to be color recording, alerting whether or not the material type of the batch of documents has been set.

Therefore it would have been obvious at the time the invention was made to alert the user if some tasks still need to be completed in order to continue.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas C. Pachol whose telephone number is 571-270-3433. The examiner can normally be reached on M-T, 7:00 a.m.-5:30 p.m. (EST), Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Haskins can be reached on 571-272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

N.P.
02/15/08

TWYLER LAMB HASKINS
SUPERVISORY PATENT EXAMINER